

LUMP SUM BID FORM

Section 00300L

City Manager
Austin, Texas

The undersigned, in compliance with the Invitation for Bids for construction of the following Project for the city of Austin, Texas:

Solicitation No.:	CLMC856A
Project:	Handcox Water Treatment Plant Process Buildings HVAC Improvements Project Rebid
CIP ID No.:	6683.031

Having examined the Project Manual, Drawings and Addenda, the site of the proposed Work and being familiar with all of the conditions surrounding construction of the proposed Project, having conducted all inquiries, tests and investigations deemed necessary and proper; hereby proposes to furnish all labor, permits, material, machinery, tools, supplies and equipment, and incidentals, and to perform all Work required for construction of the Project in accordance with the Project Manual, Drawings and Addenda within the time indicated.

CHEMICAL BUILDING BASE BID	\$ 162,356.00
Base Bid		

FILTER BUILDING BASE BID	\$ 328,236.00
Base Bid		

SODIUM HYPOCHLORITE BUILDING BASE BID	\$ 1,070,837.00
Base Bid		

- The "Base Bid" amount must be used in the MBE/WBE Compliance Plan Summary Page to determine subcontractor participation levels for the established MBE/WBE procurement goals.
- The "Base Bid" amount becomes the Bidder's "TOTAL BID" if allowances and/or alternates are not included.

TOTAL BID	\$ 1,561,429.00
Includes Base Bids for all buildings, (if accepted at Contract Execution)		

Notes:

1. For information pertaining to Bid alternate prioritization, see Section 00820.
2. MINIMUM WAGES: Workers on Project shall be paid not less than wage rates, including fringe benefits, as published by the Department of Labor (DOL) for Building Construction

Bidding Requirements, Contract Forms and Conditions of the Contract

and Heavy and Highway Trades "AS APPLICABLE" and/or the minimum wage required by City of Austin Ordinance No. 20160324-015, whichever is higher. The Total Minimum Wage required can be met using any combination of cash and non-cash qualified fringe benefits provided the cash component meets or exceeds the minimum wage required.

BID GUARANTY: A Bid guaranty must be enclosed with this Bid, as required in Section 00020, in the amount of not less than five percent (5%) of the total Bid. Following the Bid opening, submitted Bids may not be withdrawn for a period of ninety (90) Calendar Days. Award of Contract will occur within this period, unless mutually agreed between the parties. The Bid guaranty may become the property of the OWNER, or the OWNER may pursue any other action allowed by law, if:

- Bidder withdraws a submitted Bid within the period stated above;
- Bidder fails to submit the required post Bid information within the period specified in Section 00020 or 00100, or any mutually agreed extension of that period; or
- Bidder fails to execute the Contract and furnish the prescribed documentation (bonds, insurance, etc.) needed to complete execution of the Contract within five (5) Working Days after notice of award, or any mutually agreed extension of that period.

TIME OF COMPLETION: The undersigned Bidder agrees to commence work on the date specified in the written "Notice to Proceed" to be issued by the OWNER and to substantially complete construction of the improvements, as required by the Project Manual, Drawings and Addenda for the Work within two hundred and ten (210) Working Days.

If a Substantial Completion date has been specified, the Bidder further agrees to reach Final Completion within thirty (30) Working Days after Substantial Completion as required by the Project Manual, Drawings and Addenda for the work.

The Bidder further agrees that should the Bidder fail to substantially complete the Work within the number of days indicated in the Bid or as subsequently adjusted, Bidder shall pay the liquidated damages for each consecutive day thereafter as provided below; unless the OWNER elects to pursue any other action allowed by law.

WAIVER OF ATTORNEY FEES: In submitting the Bid, in consideration for the waiver of the Bidder's right to attorney's fees by the OWNER, the Bidder knowingly and intentionally agrees to and shall waive the right to attorney's fees under Section 271.153 of the Texas Local Government Code in any administrative proceeding, alternative dispute resolution proceeding, or litigation arising out of or connected to any Contract awarded pursuant to this solicitation process.

LIQUIDATED DAMAGES: The Bidder understands and agrees that the timely completion of the described Work is of the essence. The Bidder and OWNER further agree that the OWNER's actual damages for delay caused by failure to timely complete the Project are difficult, if not impossible to measure. However, with respect to the additional administrative and consultant costs to be incurred by OWNER, the reasonable estimate of such damages has been calculated and agreed to by OWNER and Bidder.

Therefore, the Bidder and the OWNER agree that for each and every Working Day the Work or any portion thereof, remains incomplete after the Substantial Completion date as established by the above paragraph, "Time of Completion", payment will be due to the Owner in the amount of one thousand three hundred and forty dollars (\$1,340) per Working Day as liquidated damages, not as a penalty, but for delay damages to the OWNER.

Bidding Requirements, Contract Forms and Conditions of the Contract

If both Substantial and Final Completion dates have been specified, the Bidder and the OWNER further agree that for each and every Working Day the Work or any portion thereof, remains incomplete after the Final Completion date as established by the above paragraph, "Time of Completion", payment will be due to the OWNER in the amount of eight hundred and twenty dollars (\$820) per Working Day as liquidated damages, not as a penalty, but for delay damages to the OWNER. Such amount shall be deducted by the OWNER from any Contract payment due.

In the event of a default or breach by the CONTRACTOR and demand is made upon the surety to complete the project, in accordance with the Contract Documents, the surety shall be liable for liquidated damages pursuant to the Contract Documents in the same manner as the CONTRACTOR would have been.

MINOR INFORMALITY: OWNER reserves the right to reject any or all Bids and to waive any minor informality in any Bid or solicitation procedure (a minor informality is one that does not affect the competitiveness of the Bidders).

BID DOCUMENT EXECUTION AND ACKNOWLEDGEMENT: The undersigned Bidder certifies that the Bidder has read and understands Section 00020 Invitation for Bids, Section 00100 Instructions to Bidders, and all other requirements applicable to the Bidding process provided in the Bid and Contract Documents.

BIDDER'S CERTIFICATION OF NON-COLLUSION, NON-CONFLICT OF INTEREST, AND ANTI-LOBBYING (Section 00440): The undersigned Bidder, by its signature, represents and certifies that it has read and can affirmatively swear and subscribe to the statements in Section 00440 Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying Certification. If the Bidder cannot affirmatively swear and subscribe to any of the statements in Section 00440, Bidder represents and certifies that it has provided a detailed written explanation with its Bid on separate pages annexed hereto. The undersigned Bidder further certifies that it has not in any way directly or indirectly had communication restricted in the City Code Chapter 2-7, Article 6 (Anti-Lobbying and Procurement) during the No-Lobbying Period as defined in Chapter 2-7.

BIDDER'S CERTIFICATION AS TO NONRESIDENT PROVISIONS: Bidder must provide the following information in accordance with Vernon's Texas Statutes and Codes Annotated Government Code § 2252.002, as amended. A Texas Resident Bidder is a bidder whose principal place of business is in Texas and includes a Contractor whose ultimate parent company or majority owner has its principal place of business in Texas. The undersigned Bidder certifies that Bidder is a resident of Texas (Bidder must write in the blank the state of which Bidder is a resident).

Bidder will initial the blank set forth below to represent and certify that the Bidder has completed, executed, and enclosed the corresponding Bid Documents with the Bid.

 MBE/WBE Compliance Document

 One copy of Total Bid Form if Bid is submitted electronically via Austin Finance Online

 Bid Guaranty

The undersigned, by their signature, represents that they are submitting a binding offer and are authorized to bind the respondent to fully comply with the solicitation documents contained herein. The Respondent, by submitting and signing below, certifies that they have received and read all sections of the entire

Bidding Requirements, Contract Forms and Conditions of the Contract

solicitation document including all revisions, addenda and documents incorporated by reference, and agree to be bound by the terms therein.

Harry Huf

Corporate Secretary, *if Bidder is a Corporation

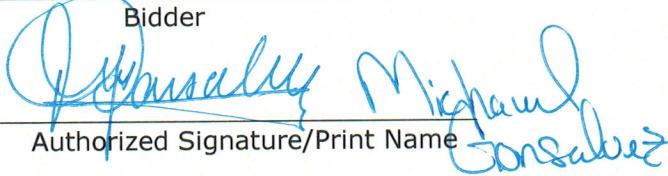
harry@mpsltd.us

Email for Secretary

(Seal)

Mechanical & Process Systems, LLC

Bidder

 Michael Gonzalez

Authorized Signature/Print Name

President

Title

08/12/2021

Date

1804 Central Commerce Court

Round Rock, TX 78664

Address

512-691-9259

512-691-9258

Telephone Number / FAX Number

mike@mpsltd.us

Email for Person Signing Bid

mike@mpsltd.us

Email for Bidder's Primary Contact Person

END

ADDENDUM NO. 01

Date July 29, 2021

City of Austin

Project Name Handcox Water Treatment Plant Process Buildings HVAC Improvements Project Rebid

C.I.P. No. 6683.031 IFB No.: CLMC856A

This Addendum forms a part of the Contract and corrects or modifies original Bid Documents, issued on June 28, 2021. **Acknowledge receipt of this addendum in space provided on bid form.** Failure to do so may subject bidder to disqualification.

A. Project Manual Revisions:

1. Remove "Table of Contents" in its entirety and replace with the attached, revised "Table of Contents".
2. Remove Section 00830BC, "Wage Rates Building Construction Trades" in its entirety and replace with the attached, revised Section 00830BC, "Wage Rates Building Construction Trades".
3. Remove Section SP1070, "Austin Water Facility Security Procedure for Contractors" in its entirety and replace with the attached, revised Section SP1070, "Austin Water Facility Security Procedure for Contractors".

B. Drawing Revisions:

None

This addendum consists of 23 page(s)/sheet(s).

Gabriel Castaño

Digitally signed by Gabriel Castaño
DN: cn=Gabriel Castaño, o=City of Austin - Public Works
Department, ou=Project Management Division,
email=gabriel.castaño@austintexas.gov, c=US
Date: 2021.07.29 11:59:20 -05'00'

Approved by OWNER

Approved by ENGINEER/ARCHITECT (as applicable per license requirements)

END

Received/Acknowledged
[Signature]
8/12/21

ADDENDUM NO. 02

Date July 29, 2021

City of Austin

Project Name Handcox Water Treatment Plant Process Buildings HVAC Improvements Project Rebid

C.I.P. No. 6683.031 IFB No.: CLMC856A

This Addendum forms a part of the Contract and corrects or modifies original Bid Documents, issued on June 28, 2021. **Acknowledge receipt of this addendum in space provided on bid form.** Failure to do so may subject bidder to disqualification.

A. Project Manual Revisions:

1. Replace the following sentences in Subsection 3 of Section 00020, "Invitation for Bids" with the following:

"Bidders may watch the bid opening online using the following Web link:

[CCO Web Bid Opening Click Here](#)

"

"ALL BIDS AND COMPLIANCE PLANS ARE DUE PRIOR TO (Austin time) 2:00 PM on August 12, 2021. BIDS WILL BE OPENED AT (Austin time) 3:00 PM on August 12, 2021."

B. Drawing Revisions:

None

This addendum consists of 1 page(s)/sheet(s).

Gabriel Castaño

Digitally signed by Gabriel Castaño
DN: cn=Gabriel Castaño, o=City of Austin - Public Works
Department, ou=Project Management Division,
email=gabriel.castano@austintexas.gov, c=US
Date: 2021.07.29 16:07:22 -05'00'

Approved by OWNER

Received / Acknowledged
[Signature]
8/12/21

Approved by ENGINEER/ARCHITECT (as applicable per license requirements)

END

ADDENDUM NO. 003

Date July 30, 2021

City of Austin

Project Name Handcox Water Treatment Plant Process Buildings HVAC Improvements Rebid

C.I.P. No. 6683.031 IFB No.: CLMC856A

This Addendum forms a part of the Contract and corrects or modifies original Bid Documents, dated June 28, 2021. **Acknowledge receipt of this addendum in space provided on bid form.** Failure to do so may subject bidder to disqualification.

A. Project Manual Revisions:

NONE

B. Drawing Revisions:

1. Replace Drawing FB1-A-101, "FILTER BUILDING NEW CONSTRUCTION FLOOR PLAN" with the attached, revised Drawing FB1-A-101, "FILTER BUILDING NEW CONSTRUCTION FLOOR PLAN" to update acoustical panels to remain and clarify removal pieces.

This addendum consists of 1 page(s)/sheet(s).

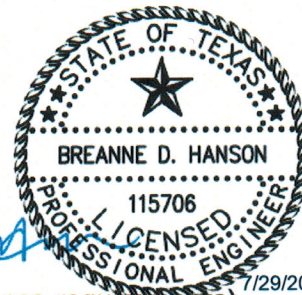
Gabriel Castaño

Digitally signed by Gabriel Castaño
DN: cn=Gabriel Castaño, o=City of Austin - Public
Works Department, ou=Project Management
Division,
email=gabriel.castano@austintexas.gov, c=US
Date: 2021.07.30 09:22:25 -05'00'

Approved by OWNER

Breanne Hanson

Approved by ENGINEER/ARCHITECT (as applicable per license requirements)



Firm Registration No. 15868
Page Southerland Page, Inc.

END

Received / Acknowledged

[Signature]
8/12/21

CERTIFICATE OF NON-SUSPENSION OR DEBARMENT

Section 00405

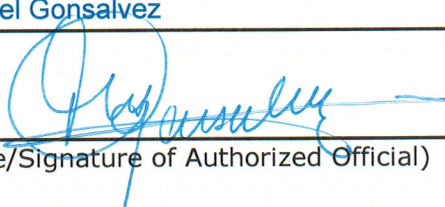
Solicitation Number: CLMC856A (to be filled in by Contractor)

The City of Austin is prohibited from contracting with or making prime or sub-awards to parties that are suspended or debarred or whose principals are suspended or debarred from Federal, State, or City of Austin Contracts. Covered transactions include procurement contracts for goods or services equal to or in excess of \$25,000.00 and all non-procurement transactions. This certification is required for all bidders on all City of Austin Contracts to be awarded with values equal to or in excess of \$25,000.00 and all non-procurement transactions.

The CONTRACTOR hereby certifies that its firm and its principals are not currently suspended or debarred from bidding on any Federal, State, or City of Austin Contracts.

Contractor's full name and entity status:

Michael Gonsalvez



(Name/Signature of Authorized Official)

President

Title

08/12/2021

Date

END

TOTAL BID FORM

Solicitation No.:	CLMC856
Project:	Handcox Water Treatment Plant Process Buildings HVAC Improvements Project Rebid
Bidder:	Mechanical & Process Systems, LLC
Total Bid Amount: (includes Base Bid plus any Allowances or Alternates shown in Section 00300)	1,561,429.00

Notes:

1. This form will be displayed publicly in Austin Finance Online approximately one hour after the solicitation closes.
2. In the case of discrepancies between this form and Section 00300, Section 00300 takes precedence.

STATEMENT OF BIDDER'S SAFETY EXPERIENCE

Section 00410

**BIDDER'S SAFETY EXPERIENCE
(To Be Submitted Post-Bid)****Solicitation Number:** CLMC856A (to be filled in by Contractor)**NAME OF BIDDER:** Mechanical & Process Systems, LLC

Pursuant to Section 252.0435 of the Local Government Code, the OWNER will consider the safety records of bidders prior to awarding a City contract. Upon request, a bidder is required to provide information to demonstrate the safety and health performance of their company. The information obtained from a bidder or from other sources will be used to determine the bidder's safety record, and will not automatically be used to exclude the bidder from selection for this or any future procurement. The OWNER will consider the responses to this Section 00410 document separately when making a discretionary determination of whether to disqualify a bidder, and may also consider the cumulative impact of the information generated by the bidder's responses in making the determination. Bidders are responsible for reviewing the safety records of proposed subcontractors.

Upon notification from the OWNER, the three (3) apparent low bidders are required to provide the following information:

WORKERS' COMPENSATION EXPERIENCE MODIFICATION RATE DATA			
Provide bidder's Workers' Compensation Experience Modification Rate (EMR) Data using the loss experience that occurred within the past five years.		Policy Year	EMR
	Current EMR:	<u>2020-2021</u>	<u>.71</u>
	1 Year Ago:	<u>2019-2020</u>	<u>.95</u>
	2 Years Ago:	<u>2018-2019</u>	<u>.93</u>
	3 Years Ago:	<u>2017-2018</u>	<u>1.26</u>
Attach bidder's NCCI workers compensation experience rating sheets for the past five (5) years.	4 Years Ago:	<u>2016-2017</u>	<u>1.12</u>
	Bidder's initialing here certifies that bidder does not have an EMR: <u>N/A</u>		
(Submit a copy of bidder's Insurance Loss Run Reports for the last five years if bidder does not have an EMR.)			
Bidder may include additional information explaining any circumstances that may have affected the company's EMR rate.			
Evaluation: Bidders with a 5-year EMR average that exceeds the 5-year industry average EMR by more than 25% may be deemed non-responsive.			

REGULATORY NOTICE AND CITATION HISTORY DATA	
<p>Provide bidder's information regarding regulatory OSHA and/or Environmental Protection Agency Notices and Citations as follows:</p> <p>Describe federal, state, city/municipal or county OSHA notices of noncompliance or citations issued to or received by the bidder within the past three years or any notices from any environmental protection agency, including any notices or citations from any state agency or local government responsible for enforcing environmental protection or other health and safety laws or regulations of any state of the United States, received within the past three years.</p>	<p>Provide a description of each on the OSHA/EPA form on the following page to include:</p> <ul style="list-style-type: none"> • Date of Citation/Notices • Issuing agency • Standard cited • Level of violation (i.e. serious, willful) • Dates and brief description(s) of the event(s) • Brief description(s) of actions taken to correct the violation(s) • Current status (Open, Closed, Contested) • If Closed, date of Closure • If Open, estimated date of Closure
<p>Bidder may include additional information explaining any related circumstances.</p> <p>N/A</p>	
<p>Evaluation: Information may be verified by referring to respective agency. More than two serious or more than one willful or repeated violation (investigation completed) within the past three years may deem the Bidder non-responsive.</p>	

Bidding Requirements, Contract Forms and Conditions of the Contract

OSHA and/or Environmental Protection Agency Notices Within Past Three Years						
Date of Citation or Notice	Issuing Agency	Violation Level (i.e. serious, willful)	Brief description of event	Brief description of actions taken to correct violation(s)	Current Status (Open, Closed, Contested)	Closed Date, or if Open, estimated Close Date
N/A						

INJURY AND ILLNESS INCIDENCE RATE DATA	
Provide bidder's *Total Case Incidence Rate(s) (TCIR) for the 3 most recent calendar years.	TCIR Rates:
Attach bidder's OSHA 300 and 300A logs for the past 3 years.	Current Rate: <u>0</u>
	1 Year Ago: <u>2.14</u>
	2 Years Ago: <u>0</u>
DAYS AWAY, RESTRICTED, AND TRANSFER RATE DATA	
Provide bidder's **Days Away, Restricted, and Transfer Rate(s) (DART) for the three most recent calendar years.	DART Rates:
	Current Rate: <u>0</u>
	1 Year Ago: <u>0</u>
	2 Years Ago: <u>0</u>
Bidder may include additional information explaining any circumstances that may have affected the submitted rates and/or their associated three year trends.	
Evaluation: Rates will be compared to the most recently published Bureau of Labor Statistics (BLS) national average for the Standard Industrial Classification code (SIC) or North American Industrial Classification Systems (NAICS) code for the construction industry. For consideration of another code within the construction industry, the Bidder must provide the code and justification. Bidders with a 3-year TCIR or DART average that exceeds the 3-year TCIR or DART industry average may be deemed non-responsive.	

**TCIR – To calculate the calendar year TCIR, determine the total number of all recordable injuries and illnesses that occurred during the year in question, divide that total by the total number of hours worked by all employees during that year, and multiply the result by 200,000.*

*** DART – To calculate the calendar year DART, determine the total number of recordable injuries and illnesses resulting in days away from work, restricted work activity, and/or job transfer that occurred during the year in question, divide that total by the total number of hours worked by all employees during that year, and multiply the result by 200,000.*

ACKNOWLEDGEMENT

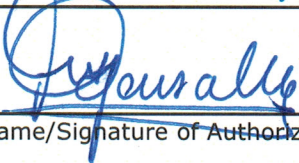
THE STATE OF TEXAS

COUNTY OF TRAVIS

I certify that my responses and the information I have provided are true and correct to the best of my personal knowledge and belief and I have made no willful misrepresentations in this, or withheld any relevant information in my statements. I am aware that any information given by me in response to this Section 00410 may be investigated and I hereby give my full permission for any such investigations, and I fully acknowledge that any misrepresentations or omissions in my responses and information may cause my bid to be rejected or cause any contract based on misrepresentations to be cancelled.

Contractor's full name and entity status:

Mechanical & Process Systems, LLC



(Name/Signature of Authorized Official)

President

Title

08/12/2021

Date

END